



MAUI ECONOMIC DEVELOPMENT BOARD

October 23, 2001

Confirmed

MAR 14 2002

Distribution Center

Ms. Magalie Roman Salas  
Federal Communications Commission  
445 12th Street SW  
Washington, DC 20554

Re: Public Notice Seeking Comment on Loea Communications Corporation's Petition  
for Rulemaking, RM 10288

Dear Ms. Salas:

I am writing in response to the Federal Communications Commission's ("FCC") September 27, 2001, Public Notice seeking comment on Loea Communications Corporation's ("Loea") Petition for Rulemaking.

I am the President and CEO of the Maui Economic Development Board (MEDB). The MEDB is a not for profit organization incorporated on Maui, Hawaii, whose mission is to provide leadership and vision in our community for the responsible design and development of a strong and diversified economy. Our organization has representatives from 45 local business organizations representing the spectrum of private, federal, state and county business on Maui. This specifically includes members from all major federal contractor's, the Maui Visitor's Bureau, the Maui Hotel Association and representatives from the office of Senator Daniel Inouye, the Governor of Hawaii, the Mayor of Maui, and the University of Hawaii.

We see the implementation of Loea's technology on Maui as a mechanism of stimulating our economy. It is a means of leveraging the work of a small segment of our economy to boost the economic base of the entire island. Maui's economy depends largely on tourism, and this basic support has been severely eroded by the terrorist activity on the mainland that occurred on September 11 this year. Our unemployment applications are at a record high. Maui needs the support that Loea can provide by modernizing our hotels and conference centers to heighten their attractiveness to visitors.

Specific examples of how the Loea technology will help improve the Maui economy are: (1) Loea will install its proprietary communication technology and intranet in Maui hotels to provide gigabit per second downloading of movies on demand; conferencing e-mail services; conferencing scheduling, and e-commerce with local hotel, restaurant and visitor industry businesses, (2) Loea can improve the internet access data rate at the Maui Research and Technology Center to aid its business attraction efforts through state of the art electronic services, (3) Loea can improve the cell phone communication system on Maui through high



speed bundling of data from the cell towers where the current bandwidth bottleneck resides, and (4) Loea can take high speed communication to locations on Maui where it is either difficult or uneconomical to install optical fiber. The Pacific Disaster Center on Maui has a mission whose needs for responsive, deployable disaster communications are well-served by Loea technology. In addition to these points I am aware that NASA Goddard Space Flight Center is interested in having Loea install a gigabit per second data link between their remote site on Kokee ridge on Kauai and the Pacific Missile Range Facility to enable NASA's space geodetic technique which they call Very Long Baseline Interferometry.

The MEDB supports Loea's Petition for Rulemaking and encourages the FCC to take swift action to issue a notice of proposed rulemaking and then, shortly after that, issue an order opening the 71-76 GHz and 81-86 GHz spectrum bands for use by fixed, point-to-point services. If the FCC adopts Loea's proposal, Loea and other companies will be able to provide gigabit-per-second broadband access using a wireless technology. As a result, these companies will be able to offer fiber optic-like speeds and throughput to rural, suburban, and even urban areas that currently do not have access to such service. Issuing service rules that make such service available is clearly in the public interest because it will remove one of the main barriers that face these areas – access to the Information Superhighway.

To provide broadband access to these areas the FCC should immediately begin a proceeding that will open the 71-76 GHz and 81-86 GHz bands for use by fixed, point-to-point systems. To accomplish this goal the FCC should begin a proceeding whose goal is to issue service rules that will make this spectrum available for such purposes.

The MEDB agrees with Loea that the FCC should add these bands to Part 101 of its current rules. Adding these bands to Part 101 is the simplest and fastest way for the FCC to open these bands for Loea and other companies. Part 101 of the rules already provides the rules and regulations for other fixed, point-to-point wireless systems. Moreover, Part 101 already contains the technical parameters necessary to regulate a fixed, point-to-point service. Adding these bands with the technical limits suggested by Loea ensures that the 71-76 GHz and 81-86 GHz bands can be used to provide gigabit-per-second wireless access to the Internet.

The MEDB agrees with Loea that the FCC needs to consider the propagation characteristics of the 71-76 GHz and 81-86 GHz bands when it issues rules to regulate these bands. The propagation characteristics of these bands are quite different than spectrum below 40 GHz. The propagation characteristics of this spectrum make highly directionalized low power beams or "pencil beams" the most logical use of these bands.

By requiring licensees to use highly directionalized antennas at a limited power, the FCC will enable multiple users to share these bands and allows almost limitless use of the spectrum. Adopting such regulations also fulfills the goal of Section 309(j)(6)(E) by finding a technical solution that enables many entities to share this spectrum. Because multiple users can share this spectrum, the MEDB agrees with Loea that it would be inappropriate to auction these bands.



Ms. Magalie Roman Salas  
October 23, 2001  
Page Three

The MEDB encourages the FCC to adopt implement an inexpensive licensing or registration system for these bands. Adopting an inexpensive registration or licensing system, where an applicant can obtain a license for \$500.00 or less will encourage the development and use of this previously unused spectrum.

Loea's Petition provides the FCC with a unique opportunity; it can issue service rules that will make previously useless spectrum very useable. The 71-76 GHz and 81-86 GHz bands can be used to provide gigabit-per-second Internet access – a service that currently can only be offered over fiber optic cables – if the FCC issues service rules in accordance with Loea's Petition. The MEDB encourages the FCC to take swift action to issue a Notice of Proposed Rulemaking seeking comment on Loea's Petition. Shortly after that, the FCC should issue an order enacting rules in accordance with Loea's Petition. The potential benefit to the public is great with almost no downside. For this reason I encourage the FCC to act as fast it can to issue service rules that make the 71-76 GHz and 81-86 GHz bands available for fixed point-to-point services.

Sincerely,

Jeanne Unemori Skog

President & CEO

Maui Economic Development Board, Inc.